





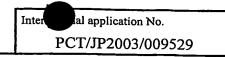
PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY (Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference 663959	FOR FURTHER ACTION	See Form PCT/IPEA/416		
International application No. PCT/JP2003/009529	International filing date (day/mo 28 July 2003 (28.07.2			
International Patent Classification (IPC) or n A61K 9/00, 35/78, 47/36	ational classification and IPC			
Applicant TE	IKOKU KANPO SEIYAK	U CO., LTD.		
This report is the international prelir Authority under Article 35 and trans	ninary examination report, establishment to the applicant according	shed by this International Preliminary Examining to Article 36.		
2. This REPORT consists of a total of	4 sheets, including	this cover sheet.		
3. This report is also accompanied by A	ANNEXES, comprising:			
a (sent to the applicant and	to the International Bureau) a to	al of sheets, as follows:		
sheets of the desc and/or sheets con Administrative In	taining rectifications authorized b	hich have been amended and are the basis of this report y this Authority (see Rule 70.16 and Section 607 of the		
sheets which super beyond the disclosuplemental Box	sure in the international applicati	is Authority considers contain an amendment that goes on as filed, as indicated in item 4 of Box No. I and the		
<u>-</u>	dicated in the Supplemental Box	indicate type and number of electronic carrier(s)) uence listing and/or tables related thereto, in computer Relating to Sequence Listing (see Section 802 of the		
4. This report contains indications relat	ting to the following items:			
Box No. I Basis of the re	port			
Box No. II Priority				
Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability				
Box No. IV Lack of unity of invention				
Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement				
Box No. VI Certain docum				
Box No. VII Certain defects	Box No. VII Certain defects in the international application			
Box No. VIII Certain observ	ations on the international applica	ation		
Date of submission of the demand	Date of c	ompletion of this report		
13 February 2004 (13.02	2.2004)	07 June 2004 (07.06.2004)		
Name and mailing address of the IPEA/JP	Authoriz	ed officer		
Facsimile No.	Telepho	ne No		





Box No	o. I	Basis of the report
1. With other	n regard rwise in	to the language, this report is based on the international application in the language in which it was filed, unless dicated under this item.
	This which	report is based on translations from the original language into the following language, is language of a translation furnished for the purpose of:
		international search (under Rules 12.3 and 23.1(b))
		publication of the international application (under Rule 12.4)
		international preliminary examination (under Rules 55.2 and/or 55.3)
		,
Jurni	are not i	to the elements of the international application, this report is based on (replacement sheets which have been the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" annexed to this report): ternational application as originally filed/furnished
		scription:
	pages	
	pages*	, as originally filed/furnished
	pages*	
	the cla	inis:
	pages pages*	, as originally filed/furnished
	pages*	, a monded (together with any statement) under Article 19
	pages*	
I		
ГШ		wings: ,
	pages	, as originally filed/furnished
1 .	pages*	
	pages*	received by this Authority on
	a seque	ence listing and/or any related table(s) - see Supplemental Box Relating to Sequence Listing.
3.	The an	nendments have resulted in the cancellation of:
ļ		he description, pages
	_	he claims, Nos.
	_	he drawings, sheets/figs
		the sequence listing (specify):
	، لــا	any table(s) related to sequence listing (specify):
4.	made,	sport has been established as if (some of) the amendments annexed to this report and listed below had not been since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box 70.2(c)).
	L t	he description, pages
		he claims, Nos.
		he drawings, sheets/figs
		he sequence listing (specify):
		any table(s) related to sequence listing (specify):
		, and a solution with the table of the solution of the solutio
* If iten	n 4 appl	ies, some or all of those sheets may be marked "superseded."

Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability;
	citations and explanations supporting such statement

Statement			·
Novelty (N)	Claims	· .	YES
	Claims	1,2	NO
Inventive step (IS)	Claims		YES
	Claims	1, 2	NO
Industrial applicability (IA)	Claims	1, 2	YES
	Claims		NO

2. Citations and explanations (Rule 70.7)

Document 1: US 6277395 B1

(RYUKAKUSAN Co., Ltd.), August 21, 2001

Document 2: JP 2001-114696 A

(Ohta Pharmaceutical Co., Ltd.), April 24, 2001

Because document 1 cited in the ISR (Test Example 3) describes the inventions relating to claims 1 and 2, these inventions do not appear to be novel or to involve an inventive step.

Because document 2 cited in the ISR (Comparative Examples 1-3 and 5) describes the inventions relating to claims 1 and 2, these inventions do not appear to be novel or to involve an inventive step.

INTERNATIONAL PRELIMI REPORT ON PATENTABILITY Box No. VI Certain documents cited 1. Certain published documents (Rule 70.10) Application No. Publication date Filing date Priority date (valid claim) Patent No. (day/month/year) (day/month/year) (day/month/year) JP 2002-249437 A 06.09.2002 22.02.2001 [EX]

2.	Non-written	disclosures	(Rule 70.9)	
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Kind of non-written disclosure

Date of non-written disclosure (day/month/year)

Date of written disclosure referring to non-written disclosure (day/month/year)